

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: BINGO PREMISES LICENCE

PREMISES: 181A UNION STREET

DESCRIPTION

Bingo premises licence application under Gambling Act 2005

OBJECTIONS/REPRESENTATIONS

None

POLICY

In terms of The Gambling Act 2005 (Mandatory and Default Conditions) (Scotland) Regulations 2007 (SSI 2007 No 266), mandatory and default conditions, unless excluded by the Board, shall apply.

The Board may also attach conditions to a bingo premises licence in terms of Section 169 of the Act if deemed necessary. Typical topics include:

- proof of age scheme;
- the provision of CCTV;
- physical security measures on the premises;
- supervision of entrances;
- measures to ensure the physical separation of gambling areas where category C or above gaming machines are made available for use;
- supervision of age restricted areas of the premises;
- self-exclusion schemes; • the display of clear notices and signage both externally and internally regarding age restrictions and restricted areas;
- the display of a notice specifying opening hours;
- policy and procedures regarding the employment of young persons

- the display of posters and information leaflets indicating the contact details of relevant organisations set up to assist people wishing to seek help and advice regarding gambling related issues

Legislation

the licensing authority's primary obligation under s.153(1) is to permit the use of premises in so far as it thinks that to do so is:

- a. in accordance with any relevant code of practice issued by the Commission
- b. in accordance with any relevant guidance issued by the Commission
- c. reasonably consistent with the licensing objectives (subject to a and b above)
- d. in accordance with the licensing authority's statement of licensing policy (policy statement) (subject to a to c above).

Whilst there is a presumption in favour of permitting the relevant premises to be used for gambling, the licensing authority may not do so unless satisfied that such use would be in accordance with this guidance, any relevant Commission code of practice, its own statement of licensing policy, and the licensing objectives.

In determining applications for premises licences, the Act explicitly sets out two principles that licensing authorities should **not** have regard to :

- s.153 makes it clear that in deciding whether or not to grant a licence, a licensing authority must not have regard to the expected demand for gambling premises that are the subject of the application
- s.210 (1) of the Act states that 'in making a decision in respect of an application...a licensing authority should not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with law relating to planning or building'.

To assist licensing authorities in determining premises applications and inspecting premises, all the [codes of practice](#) are also available as a single document. The codes specify a number of requirements, many of which relate to social responsibility issues and these may be of particular interest where a licensing authority has concern about matters such as protection of the young and vulnerable